

REMARKS

This Response is submitted in reply to the Office Action dated May 28, 2003. Claims 7-18 are pending in the patent application. None of the claims have been amended. No new matter has been added by this Amendment. Applicants respectfully submit, for the reasons set forth below, that the rejections have been overcome or are improper.

Claims 7, 8, 12 and 13 were rejected under 35 U.S.C. §102(e) as being unpatentable over U.S. Patent No. 5,739,809 to McLaughlin et al. ("*McLaughlin*"). Additionally, claims 9-11 and 14-18 were rejected under 35 U.S.C. §103(a) as being unpatentable over *McLaughlin* in view of Trundle TV and Video Technology, pages 117-121 ("*Trundle*").

Turning first to the rejection of claims 7, 8, 12 and 13, Applicants note that it is well settled that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegall Bros. v. Union Oil Co. Of California*, 814 F2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the...claim." *Richardson v. Suzuki Motor Co.*, 868 f2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). See also MPEP 2131. In the present case, *McLaughlin* does not disclose every element of claims 7, 8, 12 and 13. Therefore, the claims cannot be anticipated.

McLaughlin describes a method and apparatus for display calibration and control which includes a processor programmed to control a display in response to a user selection of displayed virtual controls. The processor stores data in data files and automatically corrects any display parameters whose value differs from a desired value (See the Abstract). Although *McLaughlin* describes correcting or adjusting a parameter, it does not disclose, teach or suggest "means for storing an average value of a parameter value adjustment interval in the memory" where the "parameter value adjustment interval having an interval width" and where the average value and the interval width define a range of possible adjustment values for the parameter as in claims 7 and 13 of the present application.

In the Office Action, the Patent Office states that *McLaughlin* discloses "means for storing and average value of a parameter value adjustment interval in a memory where the parameter value adjustment interval has an interval width, the average value and the interval width defining a range of possible adjustment values for said parameter." (See the Office Action,

page 2-3). The Patent Office specifically refers to Col. 3, lines 34-49 as disclosing these elements. However, Applicants fail to see where *McLaughlin* discloses, teaches or suggests such elements.

Claim 7 and claim 13, which includes similar elements, presently calls for, among other things, means for storing an average value of a value interval in a memory, and means for overwriting the stored average value of the value interval with a momentary value of the operating parameter. Following a renewed readout of the stored average value of the value interval, the momentary value of the operating parameter, which has been written over the stored average value of the value interval, defines the position of the value interval. This allows the position of the parameter value interval to be adjusted according to the value of the momentary value. The parameter itself may be adjusted to take on any value within the parameter value interval centered on the momentary value, which then takes on characteristic of the stored average value of the parameter value interval. Thus, the parameter can only be adjusted a limited amount dictated by the size and position of the parameter value interval.

On the contrary, *McLaughlin* discloses storing multiple data files but fails to disclose a parameter value interval or adjusting such an interval based on a momentary value which thereby limits the adjustment of the parameter to a limited range or amount. Instead, *McLaughlin* adjusts a parameter current value based on a desired value which could include any range of values and which could be any adjustment amount.

For the above reasons, *McLaughlin* fails to disclose all of the elements of claims 1 and 13. Therefore, claims 7 and 13, and claims 8 to 12 and 14 to 18, which depend from these claims, are each patentably distinguished from *McLaughlin* and are in condition for allowance.

Claims 9-11 and 14-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *McLaughlin* in view of *Trundle*. Claims 9-11 and 14-18 depend from independent claims 7 and 13, respectively. Therefore, Applicants respectfully submit that claims 9-11 and 14-18 are allowable for at least the reasons set forth above with respect to independent claims 7 and 13 because the combination of *McLaughlin* and *Trundle* does not disclose, teach or suggest the novel elements of claims 9-11 and 14-18 in combination with the novel elements of independent claims 7 and 13, respectively. For these reasons, claims 9-11 and 14-18 are patentably

distinguished over the combination of *McLaughlin* and *Trundle* and are in condition for allowance.

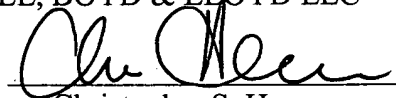
In light of the preceding remarks, Applicants respectfully submit that the claims are all in condition for allowance. Applicants therefore request that the Patent Office allow the claims and move the application to issue.

Applicant acknowledges that a three-month extension of time is due in connection with this response. Therefore, a check in the amount of \$950.00 is enclosed herewith for such fee. If any other fees are due in connection with this application as a whole, the office is authorized to deduct said fees from Deposit Account 02-1818. If such a withdrawal is made, please indicate the Attorney Docket No. (112740-087) on the account statement.

Respectfully submitted,

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